

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE:

**Emilee Jo Simmons,
Debtor**

**CHAPTER 7
CASE NO.: 25-50514-KMS**

**MOTION FOR RELIEF FROM THE AUTOMATIC STAY,
TO ABANDON PROPERTY AND OTHER RELIEF**

COMES NOW, American Honda Finance Corporation (“Movant”) a secured creditor herein, pursuant to 11 U.S.C. §§ 362 and 554(b) and moves for relief from the automatic stay, for abandonment and for other relief, and in support would show unto the Court the following:

1. Movant holds a claim against the Debtor which is secured by a 2022 M/C SXS520M2N , VIN: 1HFVE0710N4703514 (“Property”). Copies of the contract and the State of Mississippi Certificate of Title for a vehicle are attached hereto as Exhibits “A” and “B”.
2. Debtor owes Movant the total debt of approximately \$8,506.12.
3. Upon information and belief, the Debtor plans to abandon and surrender the Property.
4. Movant has not been provided adequate protection with respect to its claim secured by the Property.
5. Good and sufficient cause exists to lift, terminate and annul the automatic stay of 11 U.S.C. § 362, and for the Property to be abandoned.
6. Movant requests that the 14-day stay prescribed by Federal Rule of Bankruptcy Procedure 4001(a)(3) be waived and that the order granting this Motion be effective immediately upon entry. Good cause exists for this waiver due to continued accrual of an increasing debt arrearage and ongoing violation of Movant’s contractual rights.

WHEREFORE, Movant requests an order for relief from the automatic stay and to abandon property pursuant to 11 U.S.C. §§ 362 and 554, to terminate any other restraint against

Movant exercising its rights as to its collateral and authorize Movant to take possession, sell, lease, or otherwise dispose of the Property, and to waive the 14-day stay prescribed by Federal Rule of Bankruptcy Procedure 4001(a)(3). Movant prays for such other and general relief as this Court may deem just.

Respectfully submitted,

**BENNETT LOTTERHOS SULSER
& WILSON, P.A.**

/s/ Charles Frank Fair Barbour

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CERTIFICATE OF SERVICE

I, Charles Frank Fair Barbour, do hereby certify this day that I electronically filed the above and foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

Thomas Carl Rollins, Jr. at trollins@therollinsfirm.com

Zachary S. Wessler, Sr. at chapter7trustee@wesslerlawgroup.com

US Trustee at USTPRegion05.AB.ECF@usdoj.gov

And I mailed via US Mail, postage prepaid, a copy to the following:

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/s/ Charles Frank Fair Barbour